

**GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
TRANSYLVANIA COUNTY, NORTH CAROLINA
Case No.: 11-CVS-551**

DANA VALENTINO,)	
)	
Plaintiff,)	CONSENT MOTION FOR
)	ORDER TO REMAND, NOTICE
v.)	OF WITHDRAWAL OF
)	REQUEST FOR ATTORNEY'S
TRAILS CAROLINA, LLC,)	FEES, AND NOTICE OF
)	WITHDRAWAL OF MOTION
)	FOR ENTRY OF DEFAULT
Defendant.)	

NOW COMES, Plaintiff Dana Valentino ("Plaintiff") and Defendant Trails Carolina, LLC ("Defendant"), by and through their respective counsel, and hereby stipulate and request that the Court, pursuant to 28 U.S.C. 1447(c), enter a consent order to remand the above-captioned case back to Transylvania County, North Carolina, case number 11-CVS-551.

Further, the Plaintiff hereby gives notice of his withdrawal of his request for attorney fees in bringing the Motion for Remand and additionally his withdrawal of his Motion for Entry of Default against Defendant.

AGREED AND CONSENTED TO this 22nd day of December, 2011.

**ADAMS HENDON CARSON CROW
& SAENGER, P.A.**

MALONEY LAW & ASSOCIATES, PLLC

/s/ Robert C. Carpenter
Robert C. Carpenter
N.C. Bar No. 36672
72 Patton Avenue
Asheville, NC 28801
bocarpen@adamsfirm.com
Telephone: 828-252-7381
Facsimile: 828-252-5018
Attorney for Plaintiff

/s/ Margaret Behringer Maloney
Margaret Behringer Maloney, N.C. Bar No. 13253
Tamara L. Huckert, N.C. Bar No. 35348
1824 East Seventh Street
Charlotte, NC 28204
mmaloney@maloneylegal.com
thuckert@maloneylegal.com
Telephone: 704-632-1622
Facsimile: 704-632-1623
Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing, **CONSENT MOTION FOR ORDER TO REMAND, NOTICE OF WITHDRAWAL OF REQUEST FOR ATTORNEY'S FEES, AND NOTICE OF WITHDRAWAL OF MOTION FOR ENTRY OF DEFAULT** was served upon the following using the CM/ECF system, which will send notification of such filing to the following individuals:

Mr. Robert C. Carpenter
ADAMS HENDON CARSON CROW
& SAENGER, P.A.
72 Patton Avenue
Asheville, NC 28801
bocarpenter@adamsfirm.com
Phone: (828) 252-7381
Fax: (828) 252-5018
Attorney for Plaintiff

This the 22nd day of December, 2011.

/s Margaret Behringer Maloney _____
Margaret Behringer Maloney

MALONEY LAW & ASSOCIATES, PLLC
1824 East Seventh Street
Charlotte, NC 28204
Telephone: (704) 632-1622
Facsimile: (704) 632-1623